UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/991,752	11/26/2001	Michael J. Borg	10007023-1	3959

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EXAMINER
LIN, WEN TAI

ART UNIT	PAPER NUMBER
2154	

DATE MAILED: 11/30/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *23 September 2005*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-20* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-20* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

    1.☐ Certified copies of the priority documents have been received.

    2.☐ Certified copies of the priority documents have been received in Application No. _____.

    3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____.

DETAILED ACTION

1.   Claims 1-20 are presented for examination.

2.   The text of those sections of Title 35, USC code not included in this action can be found in the prior Office Action.

3.   Examination of this instant application is re-opened because it is believed that the previous office action missed one critical element in the reasoning of 103 rejections citing a secondary prior art of U.S. 5826258. The changes result in new grounds of rejections in this office action.

Claim Rejections - 35 USC § 103

4.   Claims 1 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gupta et al.(hereafter "Gupta")[U.S. Pat. No. 6199079] in view of Nilsen et al.(hereafter "Nilsen")[U.S. pat. No. 5668986].

5.   As to claim 1, Gupta teaches the invention substantially as claimed including: an automated data entry method comprising:

entering a user information at a first location [e.g., 312-316, Fig.3A; see also col.6, lines 11-54 and col.7, lines 15-30];

searching a storage medium at said first location to determine an identity of a user based on the entered information [e.g., 170, 180, Fig.1C ; 90, Fig. 1D; col.8, lines 56-67; see also col.7, lines 34-63];

retrieving additional information pertaining to the user from the storage medium at the first or second locations based on the determined identity [col.2, lines 15-30 and 50-59; e.g., a user may have, by default, entered his/her name, while the additional information may include address and telephone number etc.].

Gupta does not specifically teach accessing a storage medium at a second location upon not being able to identify a user by searching the storage medium at said first location, said medium at the second location containing information for a plurality of users;

However, Nilsen teaches that prior art distributed database systems typically replicate a single set of data to distributed sites or store disjoint portions of the data at different sites [Nilsen: col.1, line 63 – col.2, line 2].

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have distributed Gupta's system (including the form filler and user data storages) at different geographical location because, for the obvious benefit of load balancing and reducing global traffic, it is desirable to allow Gupta's system to access most of local customers' data at their geographical proximities, while, on the

other hand, allowing the system to access remote database when a customer travels to

another part of the world. That is, when it is unable to identify a user by searching the

storage medium at a local database, the system would search for the same at a

different database.

6.   Claims 1-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Gupta et al. (hereafter "Gupta079")[U.S. Pat. No. 6199079] in view of Gupta et al.

(hereafter "Gupta258")[U.S. Pat. No. 5826258].

7.   Note that Gupta258 was incorporated into Gupta079 by referencing [see e.g.,

col.1, lines 31-45].

8.   As to claims 1 and 11, Gupta079 teaches the invention substantially as claimed

including: an automated data entry method comprising:

        entering a user information at a first location [e.g., 312-316, Fig.3A; see also

col.6, lines 11-54 and col.7, lines 15-30];

        searching a storage medium at said first location to determine an identity of a

user based on the entered information [e.g., 170, 180, Fig.1C ; 90, Fig. 1D; col.8, lines

56-67; see also col.7, lines 34-63]; and

        retrieving additional information pertaining to the user from the storage medium

at the first or second locations based on the determined identity [col.2, lines 15-30 and

50-59; e.g., a user may have, by default, entered his/her name, while the additional

information may include address and telephone number etc.].

Gupta079 does not specifically teach accessing a storage medium at a second

location upon not being able to identify a user by searching the storage medium at said

first location, said medium at the second location containing information for a plurality of

users.

However, Gupta258 teaches a method of coupling a plurality of wrappers and a

mapper to a standard relational database so as to extract information from additional

resources that are connected to the wrappers [Gupta258: Abstract; Fig.11 and col.9,

lines 5-23]. It is noted that (1) Gupta079's Transaction Integrator already couples to the

plurality of wrappers [Gupta079: 100, Fig.1C] and (2), by default, each vendor [i.e., 139,

149, 159, Fig.1C] keeps records of customers who made purchases through each

respective website. Thus, it would have been obvious to one of ordinary skill in the art at

the time the invention was made to incorporate Gupta258's mapper software into

Gupta079's Transaction Integrator because such modification would enable Gupta079's

form filler to extract customer information directly from the resource vendor's local site

when the customer's data has not yet been collected into Gupta079's databases,

thereby allowing all existing customers to make single-point check out instead of

multiple points and saving time and money for everyone concerned [col.9, lines 39-42;

col.2, lines 15-30].

9.   As to claim 2, Gupta teaches that the method further comprising: establishing

communication from the first location to the second location by a programmable

software application at the first location [e.g., col.3, line 65 – col.4, line 14].

10.   As to claim 3, Gupta further teaches that said software application is a browser

plug-in module [col.4, line 1-2; col.6, lines 11-27; wherein Java can be implemented as

a browser plug-in module].

11.   As to claims 4-7, Gupta further teaches that the first and second locations are

connected to a network, such as the Internet [col.4, lines 19-29], wherein the first and

second locations are websites, each associated with a vender [Fig.1C].

12.   As to claims 8-9, Gupta further teaches that the retrieved additional information

is presented to the user for verifying accuracy of said information [e.g., 344-348, Fig.

3C; Figs. 2A-2D; col.8, lines 8-12; note that by default a user would check the

correctness of the automatically filled information before he/she confirms it].

13.   As to claim 10, Gupta further teaches that the user selects portions of the

additional information for transmission [322-328, Fig.3B; i.e., the user may choose only

a portion of presented products (which is additional information in response to the user's

initially entered item) are selected for purchase].

14.   As to claims 12-18, since the features of these claims can also be found in

claims 1-11, they are rejected for the same reasons set forth in the rejection of claims 1-

11 above.

15.   As to claim 19, Gupta further teaches that a user selection is displayed to the

user [324, Fig.3B].

16.   As to claim 20, Gupta further teaches that the user is prompted to enter

information for shipping and billing purposes [e.g., 203, Fig.2B].

17.   Applicant's arguments filed on 6/23/2005 for claims 1-20 have been fully

considered but they are not deemed to be persuasive.

18.   Applicant argues in the remarks that Gupta does not teaches: (1) determining an

identity of a user; (2) searching a first location and, if necessary, searching a second

location to determine an identity of a user; and (3) retrieving additional user information

from first or second locations based on the determined identity [based on Table 1 listed

on page 12 of Applicant's remarks].

19.   Examiner respectfully disagrees with applicant's remarks:

        1. As to points 1 and 3: although Gupta's approach starts with identifying the

        form that needs to be filled out, identification of a unique user ID must have been

done in order to distinguish the current user from among a plurality of users that have used the same form and find the underlying user (i.e. the current buyer) for indexing associated user information (such as address and telephone number as listed in Fig.2A) [see e.g., 350, 358, 360, and 364 of Fig. 3D and in particular relationship 90 of Fig. 1D and their relevant passages].

2. As to point 2: Since Gutpa's transaction integrator [100, Fig.1C] is able to perform processing of information (e.g., searching or accessing) on local database [e.g., 170 and 180 of Fig.1C] as well as those of remote merchandising sites [e.g., 139, 149, 159 of Fig. 1C], which form as virtual database [see col.2, lines 15-30], it is obvious that if a underlying buyer's record has not been established in the local database, information could be obtained from the specific vendor's website because its associated wrapper serves such functionality [see col.8, lines 55-67]. Furthermore, as an additional comment (so as to help Applicant in preparing a subsequent amendment): in a scenario when it is required for a buyer to enter initial user information when no user record is found in both local and/or remote databases, the act of collecting user information from the client's terminal would also read on claim 1 because the claim language requires "accessing a storage medium at a second location ..." instead of "searching a second location ...".

For at least the above reasons, it is submitted that the prior art of record reads on the claims.

20.   The prior art made of record and not relied upon is considered pertinent to

applicant's disclosure: Cannon et al.   [U.S. Pat. No. 6886019].

Conclusion

Examiner note: Examiner has cited particular columns and line numbers in the

references as applied to the claims above for the convenience of the applicant.

Although the specified citations are representative of the teachings of the art and are

applied to the specific limitations within the individual claim, other passages and figures

may apply as well. It is respectfully requested from the applicant in preparing

responses, to fully consider the references in entirety as potentially teaching all or part

of the claimed invention, as well as the contest of the passage as taught by the prior art

or disclosed by the Examiner.

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Wen-Tai Lin whose telephone number is (571)272-3969.

The examiner can normally be reached on Monday-Friday(8:00-5:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, John Follansbee can be reached on (571)272-3964. The fax phone

numbers for the organization where this application or proceeding is assigned are as

follows:

(571)273-8300 for official communications; and

       (571)273-3969 for status inquires draft communication.

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Business Center (EBC) at 866-217-9197 (toll-free).

Wen-Tai Lin

November 21, 2005